

NOT FOR PUBLICATION

NOV 16 2007

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

JUAN GABRIEL IZQUIERDO-RIOS;
ROBERT GABRIEL IZQUIERDO-
LUDENA; ALEXIA IZQUIERDO-
LUDENA; JENNY ELVIRA LUDENA-
ORDONEZ,

Petitioners,

v.

MICHAEL B. MUKASEY **, Attorney
General,

Respondent.

No. 05-71589

Agency Nos. A79-572-699
A79-572-700
A79-572-701
A79-572-702

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted November 7, 2007
San Francisco, California

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** Michael B. Mukasey is substituted for his predecessor, Alberto R. Gonzales, as Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

Before: NOONAN, FERNANDEZ, and McKEOWN, Circuit Judges.

Juan Gabriel Izquierdo-Rios, a citizen of Peru, filed a petition for review of the denial of his application for asylum and withholding of removal for himself, his wife and their two children. The parties are familiar with the facts and we do not recite them here except as necessary.

The BIA summarily affirmed the decision of the Immigration Judge (“IJ”); therefore we review the decision of the IJ as the final agency determination. *Nuru v. Gonzales*, 404 F.3d 1207, 1215 (9th Cir. 2005). “To reverse the IJ’s finding, we ‘must find that the evidence not only supports that conclusion, but compels it[.]’” *Nahrvani v. Gonzales*, 399 F.3d 1148, 1151 (9th Cir. 2005) (quoting *INS v. Elias-Zacarias*, 502 U.S. 478, 481 n.1 (1992)).

Izquierdo-Rios challenges the IJ’s conclusion that he is not entitled to asylum because he was not attacked on account of an imputed political opinion. He argues that he was attacked by members of Shining Path, a Maoist narco-terrorist organization, because they believed he was a police informant who was interfering with their political activities. However, we have held that being regarded as a police informant by terrorists is “not akin to imputing a political belief to him.” *Cruz-Navarro v. INS*, 232 F.3d 1024, 1030 (9th Cir. 2000).

Izquierdo-Rios has not established that he is eligible for asylum, therefore it follows that he has not met the higher standard for withholding of removal. *See Al-Harbi v. INS*, 242 F.3d 882, 888-89 (9th Cir. 2001).

DENIED.